

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PACHALO CHIPETA,

*Petitioner,*

vs.

STATE OF NEVADA, *et al.*,

*Respondent.*

3:14-cv-00494-RCJ-VPC

ORDER


Petitioner has submitted a completed application to proceed *in forma pauperis* (ECF #1) only, with no habeas petition (*see* #1-1).

As petitioner has failed to submit a habeas petition, this matter has not been properly commenced. Accordingly, the application will be denied, and the present action will be dismissed without prejudice to the filing of a petition in a new action on the form required by LSR 3-1, with a pauper application on the proper form with all required attachments.

**IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (ECF #1) is **DENIED** and that this action shall be **DISMISSED** without prejudice to the filing of a habeas petition, on the required form, in a new action with a properly completed pauper application.

**IT IS FURTHER ORDERED** that the Clerk shall send petitioner two copies each of an application form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section 2254 habeas petition form, one copy of the instructions for each form, and a copy of the papers that he submitted in this action.

Dated: This 29th day of October, 2014.

  
STATES DISTRICT JUDGE